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13 *Toshiba America, Inc., Toshiba America*

14 *Information Systems, Inc., and Toshiba*

15 *America Electronic Components, Inc.*

16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA
18 (SAN FRANCISCO DIVISION)

19 IN RE: CATHODE RAY TUBE (CRT)
20 ANTITRUST LITIGATION

Case No. 07-5944 SC
MDL No. 1917

21 This Document Relates to
22 Case No. 13-cv-1173-SC (N.D. Cal.)

23 SHARP ELECTRONICS CORPORATION;
24 SHARP ELECTRONICS MANUFACTURING
25 COMPANY OF AMERICA, INC.,

26 Plaintiffs,

27 v.

28 HITACHI, LTD., *et al.*,

Defendants.

**DECLARATION OF LUCIUS B.
LAU IN SUPPORT OF THE
TOSHIBA DEFENDANTS'
ADMINISTRATIVE MOTION TO
FILE DOCUMENTS UNDER SEAL
PURSUANT TO CIVIL LOCAL
RULES 7-11 AND 79-5(b)**

DECLARATION OF LUCIUS B. LAU IN SUPPORT OF TOSHIBA
DEFENDANTS' ADMINISTRATIVE MOTION TO FILE DOCUMENTS
UNDER SEAL PURSUANT TO CIVIL LOCAL RULES 7-11 AND 79-5(b)

Case No. C 11-6397 SC

MDL No. 1917

1 I, Lucius B. Lau, hereby declare as follows:

2 1. I am Counsel with the law firm of White & Case LLP, counsel for Defendants
3 Toshiba Corporation, Toshiba America, Inc., Toshiba America Information Systems, Inc.,
4 and Toshiba America Electronic Components, Inc. (collectively, the "Toshiba Defendants").

5 2. I submit this declaration in support of the Toshiba Defendants' Administrative
6 Motion to File Document Under Seal Pursuant to Civil Local Rules 7-11 and 79-5(b), by
7 which the Toshiba Defendants seek to file under seal Exhibit A to the Declaration of Akihiko
8 Kashiwagi and Attachment 3 to the Toshiba Defendants' Motion to Dismiss Sharp's
9 Complaint.

10 3. Exhibit A to the Kashiwagi Declaration is a true and correct copy of the Basic
11 Transaction Agreement ("BTA") between Sharp Corporation and Toshiba Corporation.
12 Attachment 3 to the Toshiba Defendants' Motion to Dismiss is the certified translation of the
13 BTA. Both documents contain confidential, non-public information about the Toshiba
14 Defendants' business practices, and describe Toshiba's relationship with the Sharp companies
15 that remain important to the Toshiba Defendants' competitive position. Because the
16 information contained in the BTA and its certified translation is not publicly available,
17 disclosing the information presents a risk of undermining the Toshiba Defendants'
18 relationships, would cause harm with respect to the Toshiba Defendants' competitors and
19 customers, and would place the Toshiba Defendants at a competitive disadvantage.

20
21 I declare under penalty of perjury under the laws of the United States of America that
22 the foregoing is true and correct.

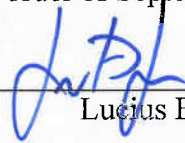
23
24 Executed this 7th day of October, 2013, in Washington, D.C.

25
26 

27 Lucius B. Lau
28

CERTIFICATE OF SERVICE

On October 7, 2013, I caused a copy of "DECLARATION OF LUCIUS B. LAU IN SUPPORT OF THE TOSHIBA DEFENDANTS' ADMINISTRATIVE MOTION TO FILE DOCUMENTS UNDER SEAL PURSUANT TO CIVIL LOCAL RULES 7-11 AND 79-5(b)" to be electronically filed via the Court's Electronic Case Filing System, which constitutes service in this action pursuant to the Court's order of September 29, 2008.



Lucius B. Lau